

LATHAM & WATKINS LLP
 Sadik Huseny (Bar No. 224659)
 sadik.huseny@lw.com
 Steven M. Bauer (Bar No. 135067)
 steven.bauer@lw.com
 Amit Makker (Bar No. 280747)
 amit.makker@lw.com
 Shannon D. Lankenau (Bar No. 294263)
 shannon.lankenau@lw.com
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: 415.391.0600
 Facsimile: 415.395.8095

LATHAM & WATKINS LLP
 Melissa Arbus Sherry (*pro hac vice*)
 melissa.sherry@lw.com
 Richard P. Bress (*pro hac vice*)
 rick.bress@lw.com
 Anne W. Robinson (*pro hac vice*)
 anne.robinson@lw.com
 Tyce R. Walters (*pro hac vice*)
 tyce.walters@lw.com
 Gemma Donofrio (*pro hac vice*)
 gemma.donofrio@lw.com
 555 Eleventh Street NW, Suite 1000
 Washington, D.C. 20004
 Telephone: 202.637.2200
 Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
 CIVIL RIGHTS UNDER LAW
 Kristen Clarke (*pro hac vice*)
 kclarke@lawyerscommittee.org
 Jon M. Greenbaum (Bar No. 166733)
 jgreenbaum@lawyerscommittee.org
 Ezra D. Rosenberg (*pro hac vice*)
 erosenberg@lawyerscommittee.org
 Ajay P. Saini (*pro hac vice*)
 asaini@lawyerscommittee.org
 Maryum Jordan (Bar No. 325447)
 mjordan@lawyerscommittee.org
 Pooja Chaudhuri (Bar No. 314847)
 pchaudhuri@lawyerscommittee.org
 1500 K Street NW, Suite 900
 Washington, D.C. 20005
 Telephone: 202.662.8600
 Facsimile: 202.783.0857

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**DECLARATION OF AMIT MAKKER
 IN SUPPORT OF PLAINTIFFS'
 RENEWED MOTION TO COMPEL
 AND FOR SANCTIONS**

Place: Courtroom 8
 Judge: Hon. Lucy H. Koh

1 I, Amit Makker, declare as follows:

2 1. I am an active member of the State Bar of California, a member in good standing
3 of the Bar of this Court, an associate at Latham & Watkins LLP, and counsel for Plaintiffs in the
4 above-titled action. I make this declaration in support of Plaintiffs' Renewed Motion to Compel
5 and for Sanctions. I have personal, first-hand knowledge of the matters set forth below and, if
6 called as a witness, I could and would testify competently thereto.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Census Bureau's
8 "2020 Census Completion Rates: Frequently Asked Questions," available at
9 [https://www.census.gov/content/dam/Census/newsroom/press-kits/2020/nrfu-deadline-](https://www.census.gov/content/dam/Census/newsroom/press-kits/2020/nrfu-deadline-completion-rates-faq.pdf)
10 [completion-rates-faq.pdf](https://www.census.gov/content/dam/Census/newsroom/press-kits/2020/nrfu-deadline-completion-rates-faq.pdf).

11 3. On the parties meet and confer on December 2, 2020, Defendants' counsel Aleks
12 Sverdlov represented that "CIG" briefing decks could satisfy Plaintiffs' sufficient-to-show
13 requests and would be "granular," but that "CIG" briefing decks were going through Title 13
14 confidentiality review. Mr. Sverdlov also stated that they would pursue the issue of database
15 queries.

16 4. Attached hereto as **Exhibit 2** is a true and correct copy of an email chain between
17 Sadik Huseny and Aleks Sverdlov, dated January 3, 2021.

18 5. Attached hereto as **Exhibit 3** is a true and correct copy of the Deposition
19 Transcript of Tamara Adams (rough), dated December 17, 2020.

20 6. Attached hereto as **Exhibit 4** is a true and correct copy of Defendants' Response
21 to Plaintiffs' First Set of Interrogatories, dated January 4, 2020.

22 7. The data and snapshot referenced beginning on page 15, line 14 of Plaintiffs'
23 Motion came from an Excel worksheet, titled Interrogatory 2, served in conjunction with
24 Defendants' Response to Plaintiffs' First Set of Interrogatories, dated January 4, 2020.

25 8. The data and snapshot referenced beginning on page 16, line 6 of Plaintiffs'
26 Motion came from an Excel worksheet, titled Interrogatory 7, served in conjunction with
27 Defendants' Response to Plaintiffs' First Set of Interrogatories, dated January 4, 2020.
28

1 I declare under penalty of perjury under the laws of the United States of America that each of the
2 foregoing facts is true and correct.

3
4 Executed on: January 5, 2021

LATHAM & WATKINS LLP

5 By: /s/ Amit Makker
6 Amit Makker

7 Amit Makker (Bar No. 280747)
8 **LATHAM & WATKINS LLP**
9 505 Montgomery Street, Suite 2000
10 San Francisco, CA 94111
11 Telephone: 415.391.0600
12 Facsimile: 415.395.8095

13 *Attorneys for Plaintiffs National Urban League;*
14 *League of Women Voters; Black Alliance for*
15 *Just Immigration; Harris County, Texas; King*
16 *County, Washington; City of San Jose,*
17 *California; Rodney Ellis; Adrian Garcia; and*
18 *the NAACP*

19
20
21 **ATTESTATION**

22 I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this
23 document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred
24 in this filing.

25 Dated: January 5, 2021

LATHAM & WATKINS LLP

26 By: /s/ Sadik Huseny
27 Sadik Huseny